

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA

V

DANIEL L. MCCLELLAN

CR. NO. 1:05CR165-MEF

ORDER

The court finds that the defendant is eligible for the appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. Accordingly, it is

ORDERED that the Federal Defender be and is hereby appointed to represent the defendant for all further proceedings. It is further

ORDERED that a detention and if necessary¹ a preliminary hearing are set for July 9, 2007, at 2:00 p.m. in United States Courthouse, One Church Street, Montgomery, Alabama, in Courtroom 4B. before Charles S. Coody, United States Magistrate Judge. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Done this 5th day of July, 2007.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE

¹The phrase “if necessary” is used because it appears that while the actions which led to the petitioner seeking revocation of the defendant’s supervision occurred in the Northern District of Florida, and he was arrested in that district, *see* FED.R.CRIM.P. 32.1(a)(5)(A), the defendant was informed that he did not have a right to a preliminary hearing in that district. Since it does not appear that a preliminary hearing was held, the parties should be prepared for the hearing unless the defendant intends to waive his right to the hearing.